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July 27, 2011

**VIA ECF**

Honorable Arthur D. Spatt  
United States District Judge  
1024 Federal Plaza  
Central Islip, New York 11722

Re: *Taraborelli V MBI*, No. 10-cv-5130-ADS-ETB

Dear Judge Spatt:

Plaintiff does hereby move to have the motion for summary judgment, docket number 8, “returned to the movant undocketed or disregarded” in accordance with his Honor’s individual rules. *Individual Rules of Honorable Arthur D Spatt*, IV. B.(v)

As is clear from the docket the movant has failed to comply with the individual rules for the making of a summary judgment motion. *Individual Rules of Honorable Arthur D Spatt*, IV. D. There has been no pre-motion conference and no exchange of Rule 56.1 statements.

Sincerely,

s/Lawrence Katz  
Lawrence Katz